

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/GB2004/005009

International filing date (day/month/year)
26.11.2004

Priority date (day/month/year)
26.11.2003

International Patent Classification (IPC) or both national classification and IPC
B65B5/10, B65D5/54, G07D11/00

Applicant
MONEY CONTROLS LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☒ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

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AP20 Rec'd PCT/PTO 26 MAY 2006

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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PCT/GB2004/005009**Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial
applicability**

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application,

☒ claims Nos. 55

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

☒ no international search report has been established for the whole application or for said claims Nos. 55

☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

☐ has not been furnished

☐ does not comply with the standard

the computer readable form

☐ has not been furnished

☐ does not comply with the standard

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-*bis* of the Administrative Instructions.

☐ See separate sheet for further details

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Box No. IV Lack of unity of invention

1. ☒ In response to the invitation (Form PCT/ISA/206) to pay additional fees, the applicant has:
 - ☐ paid additional fees.
 - ☐ paid additional fees under protest.
 - ☒ not paid additional fees.
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is
 - ☐ complied with
 - ☒ not complied with for the following reasons:
see separate sheet
4. Consequently, this report has been established in respect of the following parts of the international application:
 - ☐ all parts.
 - ☒ the parts relating to claims Nos. 1-54

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	2-20,24-48,52-54
	No: Claims	1,21,22,23,49,50,51
Inventive step (IS)	Yes: Claims	2-20,24-48,52-54
	No: Claims	1,21,22,23,49,50,51
Industrial applicability (IA)	Yes: Claims	1-54
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

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Re Item III : Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

Claim 55 has not been examined because it has not been searched, in an initial stage, due to a lack of unity (See Item IV).

Re Item IV : Lack of unity of invention

The separate inventions are the following.

- a) Claims 1-54 are relating to a packaging system, method and container for packaging sheet objects with an attributable monetary value.
- b) Claim 55 is relating to a low voltage heater element.

They are not so linked as to form a single general inventive concept (Rule 13.1 PCT) because the independent claims of the first invention (claims 1, 23, 49, 50, 51) and the independent claim 55, single claim of the second invention, address a priori two independent problems. Further, no common feature can be found between any of the independent claims 1, 23, 49, 50, 51 and the independent claim 55.

Re Item V : Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following document:

D1 : EP-A-0 852 279 (BAVAK BEVEILIGINGSGROEP BV) 8 July 1998

D2 : DE-A-39 31 176 (LORENZ J.K.) 28 March 1991

D3 : WO-A-94 17274 (BAVAK BEVEILIGINGSGROEP BV) 4 August 1994

D4 : EP-A-1 258 842 (NCR INTERNATIONAL INC) 20 November 2002

D5 : US-B-6 402 025 (SHEPHERD A.G. ET AL) 11 June 2002

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2. Lack of novelty (Article 33(2) PCT).

2.1. The document D1 discloses (the references in parentheses applying to this document) a packaging system for packaging a stack of sheet objects comprising :
[column 8, line 43 - column 10, line 48 ; figure 1]

-a packaging device (housing 1) comprising

-an output port (top lip 14, bottom lip 15) for supplying sheet objects to be stacked in the container ;

-a docking mechanism (lid 5, pins 6) to receive the container, so that an opening (mouthpiece 11, inlet slot 12) in the container can receive the sheet objects from the output port ;

-a drive mechanism (U-shaped insertion chute 17, conveyors 18, 19, 23, 24, belt 22, guide 25) for driving the sheet objects to the output port, and for supplying the sheet objects through the opening into the container to be stacked therein ;

-a sealing device (anvil 31, pressure exerting member 32) to seal a closure member onto the container opening whilst held by the docking mechanism so as to seal the stacked sheet objects within the container such that the sealed container cannot be opened without rendering it subsequently unusable for packaging sheet objects in the packaging device ;

-one container (sealable bag 2) configured to be filled with a stack of sheet objects by the packaging device ;

-a closure member (mouthpiece 11) to be sealed by the sealing device onto the container.

Therefore, the subject-matter of claims 1, 21, 22, 51 is not new (Article 33(2) PCT).

2.2. The document D2 discloses (the references in parentheses applying to this document) a container (Umschlag 10) for packaging sheet objects (Banknoten, Wertpapieren) with an attributable monetary value, comprising :
[column 4, line 20-53 ; figure 1]

-an opening (Verschlussklappe 38) to receive the sheet objects,

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-a base (Rückwand 34), sidewalls (transversale und longitudinale Schweissungen 12, 14, 16, 18) extending towards the opening from the base,
-support rails (Versteifungsstreifen 20, 22) coupled to the side walls on opposite sides of the opening, past which in use the sheet objects resiliently deform when placed in the container in a stacked configuration, the container being configured to receive a closure member (Klebstoffschicht 40, 42) sealed thereto over the opening so that the container cannot be reused for stacking sheet objects once opened.

Therefore, the subject-matter of claim 23 is not new (Article 33(2) PCT).

2.3. The document D2 further discloses a device for removing sheet objects from a container according to claim 23 including :

[column 4, line 54-68 ; column 6, line 60 - column 7, line 18 ; figures 1, 5, 7]

-a support (Stützplatten 120, 120') for the container around the periphery of its opening,
-a ram (Öffnungslineal 172) to apply a force to the base to drive it towards the opening and to collapse the side walls and cause the sheet objects to burst open the closure member (verlaufende fluchtende Perforationen 44, 46) so that the sheet objects move out of the container through the opening.

Therefore, the subject-matter of claims 49, 50 is not new (Article 33(2) PCT).

2.4. It shall be noted that the subject-matter of independent claims 1, 23, 49, 50, 51 appear also to be anticipated by other available documents as follows (see citations in International search report).

- Claims 1, 51 : document D3 ;
- Claims 23, 49, 50 : document D4 ;
- Claims 49, 50 : document D5.

3. Inventive step (Article 33(3) PCT).

It seems that dependent claims can provide features to be combined in a way which could be neither known from, nor rendered obvious by, the available prior art. Nevertheless,

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would the applicant draft amended independent claims in such a way, a special attention shall be observed in order to avoid further lack of unity of invention (Rule 13 PCT).

Re Item VIII

Certain observations on the international application

- Independent claims 1 and 51 appears to define the same subject-matter. A single independent claim should be adequate to define the protection which is sought.
- Claim 21 is drafted as an independent claim. However, it includes all the features of claim 1 and therefore shall be defined as a dependent claim, depending on claim 1 (Rule 6.4(a) PCT).
- Dependent claim 22 is drafted in the form of an apparatus claim but is defined in term of how using the apparatus rather than clearly defining the apparatus in terms of its technical features. The intended limitations are therefore not clear from this claim, contrary to the requirements of Article 6 PCT.